

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE WESTERN DISTRICT OF PENNSYLVANIA

3       JOSH L. ANDERSON                                 :  
  :  
4               v.   :   CA 04-135 Erie  
  :  
5       LARRY E. KOPKO, et al.                         :

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9               Telephone Hearing in the above-captioned  
10             matter held on Thursday, March 23rd, 2006,  
11             commencing at 11:03 a.m., before the Honorable  
12             Susan Paradise Baxter, in camera, at the United States  
13             Courthouse, 17 South Park Row, Erie, Pennsylvania  
14             16501.

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19     For the Plaintiff:

20             Josh L. Anderson   (Pro Se)

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22     For the Defendant:

23             James T. Marnen, Esquire

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25             Reported by Janis L. Ferguson, RPR

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I N D E X

TRANSCRIPT OF PROCEEDINGS . . . . . 3

1 THE COURT: All right. We are obviously, by  
2 having a hearing today, your motion for a hearing,  
3 discovery hearing, Document No. 56 was granted.  
4 And we are construing Document No. 54 as --  
5 liberally construing it -- which is your response,  
6 as another motion to compel, because these issues  
7 were not resolved, and they are going to be  
8 resolved now. All right?

9 Well, the motion to compel is granted in part  
10 and denied in part.

11 No. 1, the Defendant must, in fact, comply  
12 with the first request; any and all notes taken by  
13 Defendant Katie L. Smith regarding Plaintiff from  
14 those dates, October 29th, 2001 to present. That  
15 is granted.

16 No. 2, anything beyond that which has been  
17 produced regarding Request No. 2 is denied.

18 No. 3. Any and all grievances or complaints  
19 filed by anybody against Katie L. Smith is  
20 granted.

21 No. 4, a complete and accurate copy of the  
22 code of conduct and ethics is granted, with this  
23 proviso: As long as there are not any security  
24 concerns. I can't imagine that there are with the  
25 code of conduct and ethics, Mr. Marnen, but I

1 would have to hear more on that, if that's going  
2 to be an objection.

3 As to No. 5, it's denied. That's the  
4 complete and accurate list outlining Miss Smith's  
5 responsibilities for every -- for February 4th.  
6 That's denied.

7 As to No. 6, the logs, I'm going to deny it,  
8 except for that date, because you didn't give me a  
9 listing of dates, and it's too broad as requested.  
10 If there are other dates, you have to get those in  
11 fast, because we're out of time. And so I'm going  
12 to deny it, except for the date in question. It  
13 may have already been produced.

14 Are you going to check on that, Mr. Marnen?

15 MR. MARNEN: Yes, ma'am.

16 THE COURT: All right. As to No. 9, the  
17 prisoner's file, it's denied.

18 No. 8, you're checking on that one, both of  
19 you; whether or not it's been received. All  
20 right?

21 (Discussion held off the record.)

22 THE COURT: You have some time if you can get a  
23 group of dates together, Mr. Anderson, for No. 6.

24 MR. ANDERSON: Okay.

25 THE COURT: Any questions?

1 MR. MARNEN: No, Your Honor.

2 MR. ANDERSON: No, Your Honor.

3 THE COURT: All right. We're adjourned. Thank  
4 you.

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6 (Hearing concluded at 11:25 a.m.)

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